

## Remarks

Claims 1-20 are pending in this application. Applicant has amended claims 1-20 to bring their format more in line with standard U.S. format. Applicant respectfully requests favorable reconsideration of this application.

Applicant has amended the specification to correct minor typographical errors in reference numbers for some elements. Applicant submits herewith under separate cover corrected drawings that correct the reference characters in the drawings.

The present invention as recited in independent claims 1 and 8 relates to a method and system for separation of the phases of a multiphase fluid from one or more wells. The multiphase fluid is conducted to at least two gravity separators either in parallel or in series depending on the properties of the well fluid and process conditions. Thus, the present invention as recited in independent claims 1 and 8 can provide a single system that, thanks to its interchangeable configuration of gravity separators, may be used for different purposes depending on wellstream characteristics without any or with minimum intervention activity.

The Examiner rejected claims 1, 6, 8, 11, and 18-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 6,872,239 to Nilsen et al. The Examiner rejected claims 1-3 and 7-10 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 6,315,813 to Morgan et al.

Nilsen et al. does not disclose the present invention as recited in independent claims 1 or

8 since, among other things, Nilsen et al. does not disclose a system that includes conducting multiphase fluid from one or more wells through at least two gravity separators wherein the gravity separators are arranged in parallel or in series, depending upon the properties of the well fluid and process conditions. Rather, Nilsen et al. discloses a method and a system for separating phases of a mixture comprising oil, water and gas where the gas is separated from the oil-water emulsion in a gas/liquid cyclone arranged upstream of a gravity separator. Additionally, Nilsen et al. does not disclose a flexible selection between parallel and serial operation of at least two gravity separators (at least one first and at least one second gravity separator). On the other hand, the present invention as recited in claims 1 and 8 can selectively conduct fluid to two gravity separators arranged in parallel or series.

Additionally, Applicant disagrees with the Examiner's contention that Nilsen et al. discloses, "fluid selectively conducted (from 7) to a gravity separators (col. 6, lines 59 - col. 7, line 9) and subsequent gravity separators (via 14)" within the meaning of claims 1 and 8, because the fluid (water-oil emulsion from 7 via line 9) is here actually not in any regard selectively conducted between gravity separator 11 and any other subsequently arranged gravity separator(s), but must unconditionally be conducted to the gravity separator 11 for gravity separation before any possible further separation in a subsequently arranged gravity separator as indicated. Furthermore, as the fluid is not selectively conducted from 7 to gravity separators (via 14), Nilsen et al. consequently also not disclose that a fluid is selectively conducted depending on the properties of the well fluid and process conditions as recited in claims 1 and 8. Even if Nilsen et al. were to include one or more subsequently arranged gravity separators in a so-called separation train, Nilsen et al. only appears to disclose a fixed serial connection and operation. Therefore, it is not possible to

reconfigure any possible subsequently arranged gravity separators so as to flexibly select between parallel and serial operation.

In view of the above, Nilsen et al. does not disclose the present invention as recited in claims 1 and 8 and claims dependent thereon.

Morgan et al. does not disclose the present invention as recited in claims 1 and 8 since, among other things, Morgan et al. does not disclose a method and system for separation of the phases of a multiphase fluid being processed from one or more wells. Rather, Morgan et al. discloses a method of treating pressurized drilling fluid returns from a well being drilled, which is a completely different technical field from separation of production well fluids. Not only do the problems differ, but so do the solutions to address the problems. One of ordinary skill in the art would not look to methods and devices utilized in well drilling applications to solve different problems related to recovery of materials from a well during production.

Additionally, Morgan et al. does not disclose a system that includes two gravity separators. Rather, Morgan et al. discloses a system that includes a primary separation means including only one gravity separator and a secondary separation means which Morgan et al. does not disclose as a gravity separator. On the contrary, Morgan et al. explicitly discloses that the secondary separation means includes cyclonic or centrifugal separation. Morgan et al. does not disclose substituting any of the vessels of the secondary separations means with a gravity separator so as to arrive to the solution of the present invention. Further, if a gravity separator were substituted for vessels of the secondary separation means, and in particular the vessels 14 and 36, the system according to

Morgan et al. would not function properly since it is for solving problems associated with the separation of high gas volumes from the pressurized drilling returns.

Furthermore, Morgan et al. does not disclose a method or system that includes selectively conducted a fluid to at least one first and at least one second gravity separator in parallel or in subsequent steps depending on properties of the well fluid and process conditions. Rather, Morgan et al. discloses a system that regulates the flow of drilling fluid returns through the primary and secondary separation means depending on the flow of gas that is extracted from the primary separation means in order to maintain the flow of gas exiting the primary separation means within predetermined parameters, as described at col. 6, lines 1-8 and 19-22. Further, Morgan et al. discloses controlling flow of gas, solid, or liquid in the drilling fluid returns, depending on the amount of gas expelled from the primary separator. The remainder of the gas, together with any solid or liquid, of the flow that is allowed to initially be taken through secondary separation means is forced out of secondary separation means through a high pressure choke, and into primary separation means by means of regulating by partially closing or restricting a control valve depending on the amount of gas in the drilling fluid returns, as described by Morgan et al. at col. 6, lines 40-62.

In view of the above, Morgan et al. does not disclose the present invention as recited in claims 1 and 8 and claims dependent thereon.

In view of the above, neither Nilsen et al. nor Morgan et al. discloses all elements of the present invention as recited in claims 1-20. Since neither Nilsen et al. nor Morgan et al. discloses

all elements of the present invention as recited in claims 1-20, the present invention, as recited in claims 1-20, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

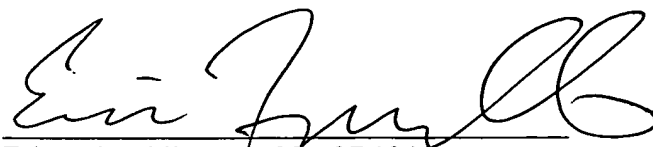
In view of the above, neither of the references relied upon in the office action discloses patentable features of the present invention. Therefore, neither of the references relied upon in the office action anticipates the present invention. Accordingly, Applicants submit that the present invention is patentable over the cited references.

If an interview would advance the prosecution of this application, Applicants respectfully urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge insufficient fees and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Date: 1/13/06

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric J. Franklin", written over a horizontal line.

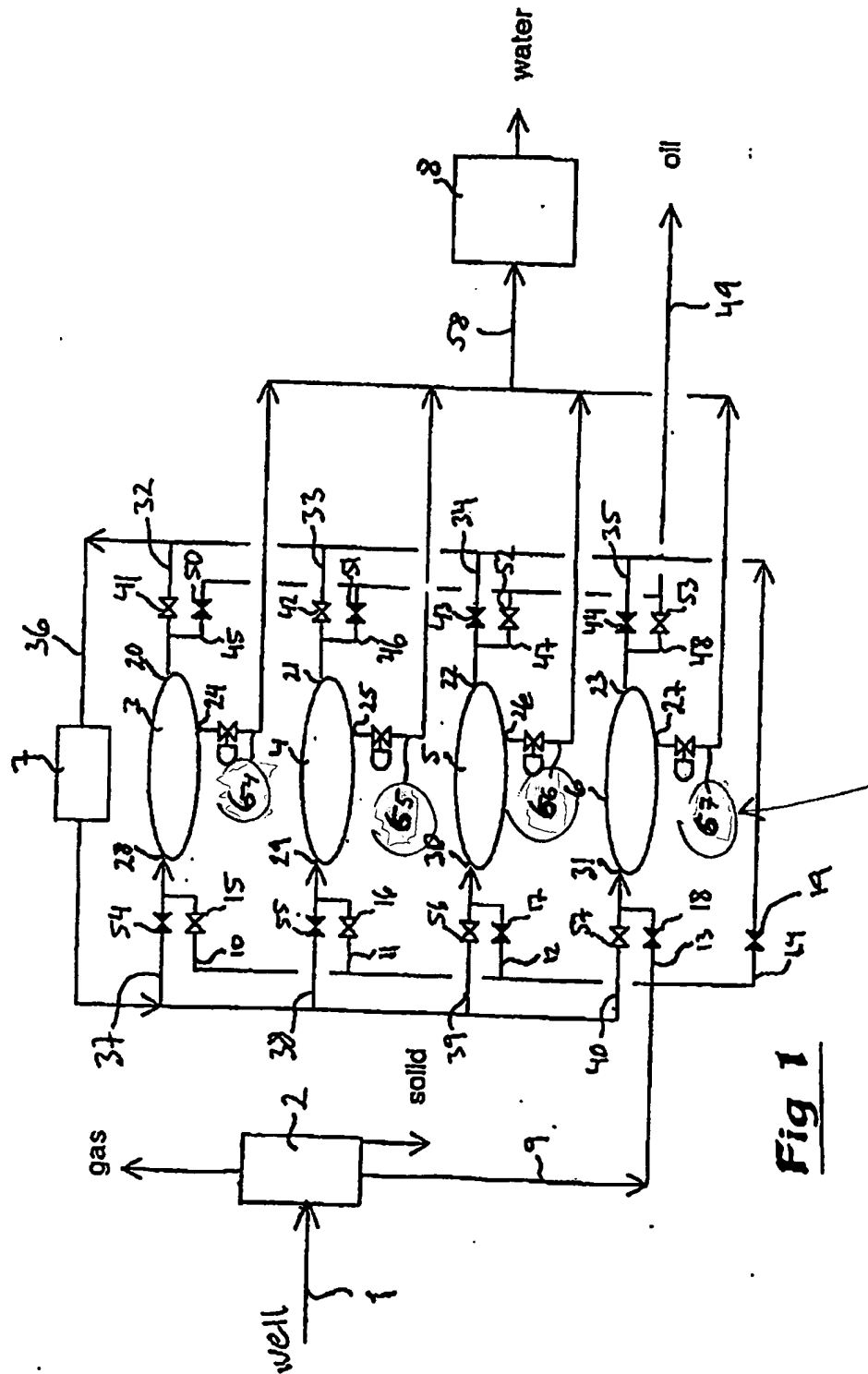
Eric J. Franklin, Reg. No. 37,134

Venable LLP

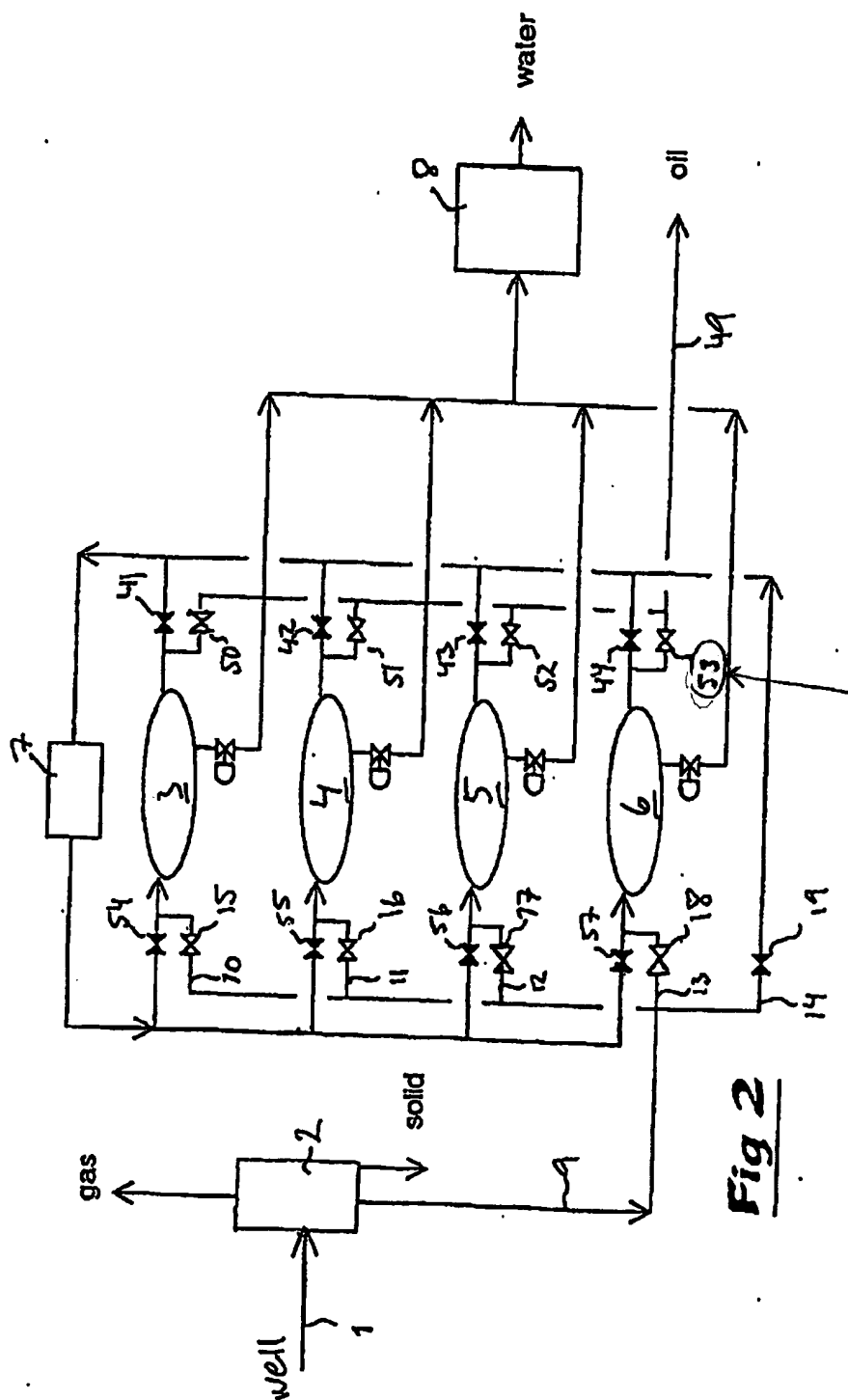
575 7<sup>th</sup> Street

Washington, DC 20004

Telephone: 202-344-4936



**Fig 1**



**Fig 2**